

REMARKS

Applicants elect claim group III, with traverse. Group I and Group III are related as product and process of use. It is respectfully submitted that these two groups should be examined together.

The polypeptide of amended claim 1 (SEQ ID NO:35) is not taught as being useful for treating gastrointestinal inflammation. In fact, original claim 2 directed to a method of treating gastrointestinal inflammation did not recite use of a polypeptide according to SEQ ID NO:35. See also page 13, line 28 to page 13, line 11, which does not teach SEQ ID NO:35 as useful in such a method. SEQ ID NO:35 is specifically omitted from this disclosure. Thus, contrary to the assertion of the Patent Office, the polypeptide of amended claim 1 cannot be used in the method of Group II or Group III but only in the invention of Group III. See data discussed at page 31, lines 12-15 and lines 24-28 which show that brain zonulin failed to affect monkey or rabbit jejunum or ileum.

Withdrawal of the restriction requirement is respectfully requested between Group I and Group III to the extent that they encompass SEQ ID NO:35.

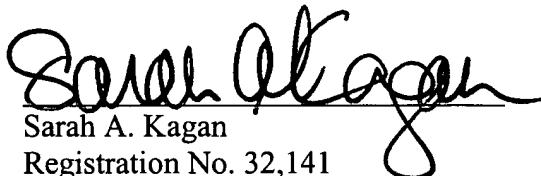
New claims 4-15 have been added. These are dependent claims which are supported by the original disclosure at page 15, lines 1-16. Each claim recites a condition associated with breakdown of the blood-brain barrier.

Examination of the pending claims is respectfully requested.

Respectfully Submitted,

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By:


Sarah A. Kagan
Registration No. 32,141

Banner & Witcoff, Ltd.
Customer No. 22907